

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 21-395V
UNPUBLISHED

KELLY GIBSON,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: February 25, 2021

Voluntary dismissal; Order
concluding proceedings; duplicate
petition.

ORDER CONCLUDING PROCEEDINGS¹

On January 8, 2021, Kelly Gibson filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa—10 through 34.² Petitioner alleged that she suffered an adverse reaction to an influenza vaccination that she received on August 20, 2020. Petition at 1. On January 21, 2021, Petitioner submitted a notice of voluntary dismissal acknowledging that this case was a duplicate of another case (no. 21-392V). Petitioner intends to proceed with the other case.

In light of Petitioner's "notice of dismissal at any time before service of respondent's report" pursuant to Vaccine Rule 21(a), **this case is dismissed without prejudice.**

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master

¹ Although I have not formally designated this Order for publication, I am required to post it on the United States Court of Federal Claims' website because it contains a reasoned explanation for the action in this case, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Order will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755.